

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
COURT
FILED
MAR 12 2009
CLERK, U.S. DISTRICT COURT
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Came on for consideration the above-captioned action wherein Michael Townsend ("Townsend") is applicant and Nathaniel Quarterman, Director, Texas Department of Criminal Justice, Correctional Institutions Division, is respondent. This is an application for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. On February 2, 2009, the United States Magistrate Judge issued his proposed findings, conclusions, and recommendation ("FC&R"), and ordered that the parties file objections, if any, thereto by February 23, 2009. On February 19, 2009, Townsend filed his written objections. Respondent has not made any further response. In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the court makes a de novo determination of those portions of the proposed

findings or recommendations to which specific objection is made. United States v. Raddatz, 447 U.S. 667 (1980). The court is not addressing any nonspecific objections or any frivolous or conclusory objections. Battle v. United States Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987); see also Edmond v. Collins, 8 F.3d 290, 293 n.7 (5th Cir. 1993).

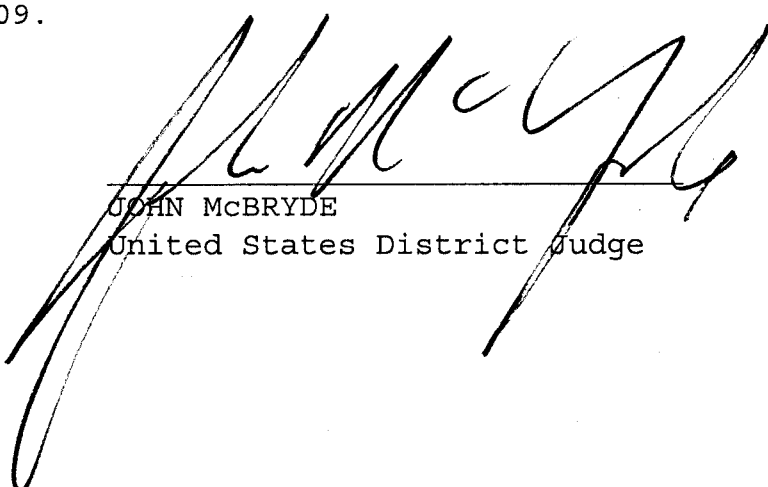
The Magistrate Judge recommended that Townsend's application be denied. As categorized in the FC&R, Townsend's application asserts the following grounds for relief: (1) conviction obtained by an unconstitutionally empaneled juror; (2) withholding of evidence in violation of Brady v. Maryland, 383 U.S. 83 (1963) and claim of actual innocence; (3) the conviction was obtained by use of a coerced confession; (4) prosecutorial misconduct; (5) no evidence to sustain the conviction; and (6) ineffective assistance of counsel. The Magistrate Judge concluded that Townsend had failed to satisfy the legal standard for habeas relief and recommended that the application be denied. Although Townsend submitted a document entitled "Petitioner Townsend's Written Objections to the Magistrate Judge's Memorandum and Recommendation," the document contains no specific objections as to any part of the FC&R but only re-urges, virtually word for word, his initial grounds for relief. The court need not address

such nonspecific objections. See Battle, 834 F.2d at 421;
Edmond, 8 F.3d at 293 n.7. Townsend has adduced nothing that
entitles him to relief on any of his claims.

Therefore,

The court accepts the findings, conclusions and
recommendation of the Magistrate Judge, and ORDERS that the
application of Michael Townsend for writ of habeas corpus
pursuant to 28 U.S.C. § 2254 be, and is hereby, denied.

SIGNED March 12, 2009.



JOHN MCBRYDE
United States District Judge